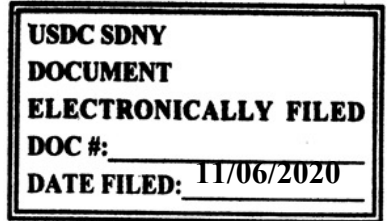


BONDURANT MIXSON & ELMORE ^{LLP}

JOHN H. RAINS IV
Writer's Direct Dial - 404.881.4128
rains@bmelaw.com



November 2, 2020

VIA ECF

MEMO ENDORSED

Honorable Katharine H. Parker
United States Magistrate Judge
USDC, Southern District of New York
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Settlement Conference Scheduled for March 18, 2020
ESI Cases and Accessories, Inc. v. Home Depot Product Authority, LLC
Civil Action No. 18-cv-11507-JMF

Dear Judge Parker:

My firm represents the defendant in the above-referenced action. I write to request an adjournment of the settlement conference presently scheduled for November 9, 2020. The district court recently granted Plaintiff a final extension of time to complete discovery, and we believe that holding the settlement conference after discovery is completed is more likely to be productive. In addition, Plaintiff has not yet made a pre-settlement conference demand pursuant to your case management procedure V(e). Again, a settlement conference is more likely to produce a resolution if there has been a timely demand for my client to consider.

We regret that so many continuances and adjournments have been sought in this matter, and Home Depot is committed to participating in a settlement conference in good faith. We nevertheless believe one final adjournment is in the best interest of the process.

I have contacted Plaintiff's counsel regarding an adjournment but have not yet heard back with their position.

Please let me know if I may be of further assistance, or if you have any questions.

Respectfully submitted,

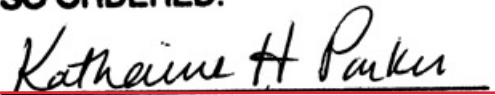
/s/ John H. Rains IV

John H. Rains IV

cc: All counsel (via ECF)

The settlement conference in this matter currently scheduled for Monday, November 9, 2020 at 2:15 p.m. is rescheduled to Wednesday, January 6, 2021 at 10:30 a.m. Counsel is directed to call Judge Parker's teleconference line at the scheduled time. Please dial (866) 434-5269, Access code: 4858267. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than December 30, 2020 by 5:00 p.m.

SO ORDERED:

A handwritten signature in black ink, reading "Katharine H. Parker", is written over a horizontal line.

**HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
11/06/2020**